

Serial No 09/470,041
In reply to Office Action mailed December 7, 2004
Page 8 of 9

REMARKS

This is in response to the final Office Action mailed on December 7, 2005, in the above-identified application. Claims 51-80 are pending in the application and are rejected. With this Response, the rejection is traversed and the claims are unchanged.

Claims 51-80 were rejected under 35 U.S.C. 103(a) as being unpatentable over Odom in view of Purcell. Applicant respectfully submits that the claims include features not shown in the combination of references and also that the prior art lacks suggestion to combine the references.

Several features of the claims are not shown or suggested in the prior art references. For instance, the framework in the present claims is distinguishable from the structure of the transactions in the prior art references. In one example, the independent claims 51, 61 and 71 set forth the features of "(a) submitting a terms form to the plurality of buyers providing details on products or services," "receiving offers from the sellers," and "receiving the terms form indicating at least one of terms and conditions." These features are not found in the references.

Odom teaches that the seller submits the terms form and provides the offer to sell as part of the same feature, i.e., the terms form is the seller's offer. Buyers then attempt to outbid other buyers to accept the seller's offer. The present claims, however, set forth that the terms form is best an invitation to make an offer and not an offer itself when taken in context with the other claim elements.

Also, the buyer's bid (for example the best bid) in the present claims does not lead directly to creating a binding agreement as is taught in Odom. Rather, the bid would lead to "offers from the sellers" in the present claims, which is not shown in the prior art of record.

These features found in the independent claims are not shown or suggested in any of the prior art references and therefore cannot be present in any proposed combination of references. Accordingly, Applicant submits that the claims are patentably distinguishable from the proposed combination of references.

Applicant also submits that there is no suggestion in the prior art to combine the references to obtain the present claims. In connection with this, the references do not recognize the problems facing the Applicant. Odom is directed to an exchange system, or "online" auction, that applies generally to two groups of parties, i.e., buyers and sellers. There is no suggestion to modify the teachings of Odom to provide a framework for meaningful action between third parties or groups of third parties involved in the auction. Similarly, the prior art may teach trade

Serial No 09/470,041
In reply to Office Action mailed December 7, 2004
Page 9 of 9

with letters of credit, but the prior art does not provide a suggestion to modify a conventional letter of credit system to obtain the particular framework set forth in the claims.

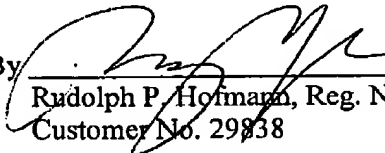
Accordingly, Applicant respectfully requests that the present response be entered and the rejection to the claims based on 35 U.S.C. 103(a) be withdrawn.

CONCLUSION

Applicants submit that all pending claims are allowable and respectfully request that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7340.

If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-339701).

Respectfully submitted,

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